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HEALTH DEPARTMENT, DISTRICT OF COLUMBIA.

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AN ACT

TO

PREVENT THE SPREAD

OF

SMALLPOX

AND

OTHER CONTAGIOUS DISEASES

IN THE

DISTRICT OF COLUMBIA.

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## AN ACT

### To Prevent the Spread of Small-pox and other Contagious Diseases in the District of Columbia.

[29 Stats., 635.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purposes of this act the term "contagious disease" shall be held to mean Asiatic cholera, yellow fever, typhus fever, smallpox (including varioloid), leprosy, the plague, and glanders, or any of these diseases by whatsoever name it may be designated; the term "case of contagious disease" shall be held to mean any person suffering from any such disease. Any person shall be held to be suffering from a contagious disease who is so infected by such disease as to be capable of transmitting it to others. The presence of the ordinary clinical symptoms of any contagious disease shall be prima facie evidence that such case is or was such a disease; and the presence in such case of the specific bacteria of such disease shall be conclusive evidence that such case is or was such disease. The provisions of this act shall apply to every ship, vessel, steamer, boat, or craft lying or being in the rivers, harbors, or other waters within the jurisdiction of said District, and to every tent, van, hovel, barn, outhouse, cabin, or other place in said District. The term "person in charge of a case of contagious disease" shall be held to mean, first, the head of the family in which such case belongs; second, in his absence or disability or in case he be the person sick, the nearest relative or relatives of such case present on the premises where such case is, and being in attendance on him; third,

in the absence of such relatives everyone in attendance on such person; fourth, in the absence of anyone so in attendance, everyone in charge of the premises where such person is.

SEC. 2. That every physician attending on or called in to visit, or examining any case of contagious disease in the District of Columbia, shall immediately cause such case to be properly isolated, and at once send to the health officer of said District a certificate signed by him, which said certificate shall state the name of the disease and the name, age, sex, and color of the person suffering therefrom, and shall set forth by street and number, or otherwise sufficiently designate the house, room, or other place in which said person may be located, together with such other reasonable information relating thereto as may be required by said health officer: *Provided*, That attending, visiting, or examining any person suffering from a contagious disease shall be prima facie evidence that any physician so doing was aware that such person was suffering from such disease: *And provided further*, That any case of sickness, the symptoms of which so resemble the symptoms of any contagious disease that such case cannot be immediately distinguished from such disease, shall be properly isolated by the person in charge thereof until the nature of such sickness is positively determined, or until the case has completely recovered or died; and if such case recovers or dies without the true nature of the disease having been ascertained, it shall be the duty of the person in charge of such case to adopt such measures of isolation and disinfection as are required by this act in cases of contagious diseases.

SEC. 3. That any physician attending on or visiting any case of contagious disease in said District shall send to said health officer a certificate signed by him, certifying to the recovery or death of such case, within twenty-four hours after he becomes aware of such recovery or death. No person suffering from any contagious disease shall be certified as having recovered



therefrom until he is entirely free from danger of communicating such disease to others.

SEC. 4. That whenever any person in said District is suffering from any contagious disease, or suspected of being suffering from such disease, and no physician is in attendance on or called in to visit, or examines such person, it shall be the duty of the person in charge of such case to properly isolate the same and to send to said health officer certificates relative thereto, in the same manner as is required by this act of physicians attending on or called in to visit, or examining like cases.

SEC. 5. That whenever it comes to the knowledge of said health officer, either by the certificate hereinbefore provided for or otherwise, that any person in said District is suffering from any contagious disease, said health officer shall cause one or more suitable placards or warning signs to be placed at once in a conspicuous position or positions upon, at, or near the front entrance or entrances to the premises in which such person is, so that the same can be distinctly seen by passers-by; said placards or signs shall contain, printed thereon in large letters, the name of the disease from which said person is suffering, and, in small letters, a statement of the law in reference to entrance to and exit from such house, and in reference to interfering with such placard or warning sign; if such premises be a hospital, asylum, hotel, or apartment house said placards or warning signs may, in the discretion of said health officer, be placed in a conspicuous position or positions within said premises, at such place or places as said health officer may determine; said placards or warning signs shall be displayed as aforesaid until such premises and the contents thereof are disinfected to the satisfaction of said health officer, as certified by him, and for such time thereafter as may be necessary to demonstrate the freedom of occupants of said premises from contagious disease, namely, in the case of cholera and yellow fever, five days; typhus fever, twenty-one days; smallpox,

sixteen days; the plague, fourteen days; and glanders, twenty-one days: *Provided*, That in addition to or in lieu of the placards or warning signs provided for above said health officer may station a watchman or watchmen at such building or premises for the purpose of securing compliance with the provisions of this act.

SEC. 6. That no person shall in said District, without the written consent of said health officer, handle, deface, obliterate, remove, or in any manner conceal any placard or warning sign displayed as aforesaid; the person in charge of the building or premises where such placard or sign is or has been displayed, and which said placard or warning sign has been to his knowledge defaced, obliterated, removed, or concealed, shall forthwith report that fact in writing to said health officer unless he has good reason to believe that such placard or sign has been removed by authority of said health officer.

SEC. 7. That it shall be the duty of the person in charge of any case of contagious disease in said District to cause such case, immediately upon the discovery thereof, to be removed to a room or rooms on the premises where it occurs, as far as practicable from rooms occupied by other person not affected by such contagious disease; to prevent the entrance into the building in which such sick person is of any person or persons except those dwelling therein at the time of the discovery of such disease therein, the physician or physicians in attendance, the nurse or nurses, and such persons as may be especially authorized in writing by said health officer to enter such building; to properly disinfect or cause to be properly disinfected all articles in use in the room or rooms in which such sick person is, and all excreta from such sick person before such articles or excreta are removed from said room; and within three days after the complete recovery, the death, or removal of such case, to cause the premises in which such sick person has been and the persons and articles thereon to be properly disinfected.

SEC. 8. That the disinfection required by this Act shall be performed as follows:

(A) All dejecta, vomit, and sputum of persons suffering from contagious diseases shall be received and shall remain for not less than one hour in vessels containing a sufficient quantity of an acid solution of bichloride of mercury (bichloride of mercury, one part; hydrochloric acid, two parts; water, one thousand parts), or other germicidal agent which has been approved by said health officer.

(B) All articles which have been exposed to infection but not included among those enumerated in the preceding paragraph, shall be (a) exposed for not less than thirty minutes to steam at a temperature of not less than one hundred and five degrees centigrade, or (b) boiled for not less than thirty minutes, articles to be disinfected to be completely submerged, or (c) soaked in the acid solution of bichloride of mercury aforesaid for not less than one-half hour, or in a two percentum aqueous solution of carbolic acid for not less than four hours, or in other germicidal solution approved by said health officer, or thoroughly washed with such solution, or (d) exposed to the vapor of formaldehyde or other germicidal agent for such time and in such strength as may be specified by said health officer.

(C) Persons who have convalesced from any contagious disease or who have been exposed to such disease shall be thoroughly washed with soap and hot water and sponged with an acid solution of bichloride of mercury, as follows: Bichloride of mercury, one part; hydrochloric acid, two parts; water, two thousand parts; or other germicidal solution approved by said health officer. The bodies of persons who have died from any contagious disease shall be immediately enveloped in a sheet saturated with a five percentum aqueous solution of carbolic acid or other germicidal solution approved by said health officer.



SEC. 9. That if the person who is or has been in charge of any case of contagious disease in said District shall fail or refuse to properly disinfect said premises, and persons and articles thereon, or cause the same to be properly disinfected, within three days after the removal, recovery, or death of such case, said health officer is hereby authorized to cause the same to be properly disinfected and to pay the cost thereof out of any appropriation available for the purpose, and the court before whom such person is tried may require him to pay such costs in addition to suffering such penalty as is hereinafter specified: *Provided*, That when such person is unable, in the opinion of said health officer, to properly disinfect such premises, or any part thereof, or any person or persons, article or articles thereon, such premises or parts thereof, person or persons, article or articles may be disinfected by said health officer and the cost of such disinfection paid out of any appropriation available therefor, including payment for articles belonging to the poor necessarily destroyed.

SEC. 10. That no person in said District suffering from any contagious disease, or residing either permanently or temporarily in any building where there is such disease (or, if such building be a hospital, asylum, hotel, or apartment house, in the apartments where there is such disease) shall leave such building, or apartments, except with a written permit from said health officer, and then only in accordance with the terms of said permit; or with a certificate from said health officer certifying that such person can leave said building or apartments without danger to public health.

SEC. 11. That no person in said District shall knowingly enter any building or if such building be a hospital, asylum, hotel, or apartment house in the apartment in which exists any case or cases of contagious disease or any building infected by such disease except persons dwelling in such building at the time of the discovery of such disease therein, the attending physician or



physicians, the nurse or nurses, and such other person as may be especially authorized in writing by said health officer to do so.

SEC. 12. That no person shall, in said District, keep or retain the body of any person who has died of any contagious disease, except in accordance with the following provisions: Such body shall not be placed in an ice box, but shall, immediately after death, be completely enveloped, and shall thereafter remain so enveloped, in a sheet saturated with a five per centum aqueous solution of carbolic acid or other germicidal solution, as provided in section eight; such body shall then be immediately placed in a coffin or casket, which shall at once be tightly closed with screws or clamps and remain so closed; such body shall be buried, cremated, or transported beyond the limits of said District within thirty-six hours after death.

SEC. 13. That no body of any person who has died of Asiatic cholera, yellow fever, typhus fever, smallpox, including varioloid, the plague, leprosy, or glanders, shall be carried into or out of the District of Columbia except in transit: *Provided*, That this section shall not apply to the transportation of bodies in hearses or undertakers' wagons for burial in adjoining States.

SEC. 14. That in said District the body of any person who has died of any contagious disease shall not be carried from place to place except for the purpose of burial, cremation, or shipment, nor in any conveyance other than a hearse or undertaker's wagon; such body shall not be taken into any place of public assemblage, nor shall any person attend the funeral of any such body except adult members of the immediate family of the deceased, his nearest friends, not exceeding two, and other persons whose attendance is actually necessary.

SEC. 15. That no person shall, in said District, without a written permit from said health officer, and then only in accordance with the terms of said permit, carry or remove, or cause to be carried or removed, from place to place, any person

suffering from any contagious disease, or who has been recently exposed to infection by such disease, and is liable soon to develop the same, or to carry the infection of such disease. No person shall, in said District, expose himself or any other person, or permit his minor child or ward to expose himself, while suffering from any contagious disease or when, having been exposed to such disease, liable soon to develop the same or to carry the infection thereof.

SEC. 16. That no person shall, in said District, without a written permit from said health officer, and then only in accordance with the terms of said permit, carry or remove, or cause to be carried or removed, from place to place, any thing or things which have been exposed to any case of contagious disease and which have not been properly disinfected since such exposure as certified by said health officer.

SEC. 17. That the principal, teacher, or other person or persons in charge of any school, seminary, college, or Sunday school in said District shall not permit any person to attend such school, seminary, college, or Sunday school who is or has been suffering from or exposed to any contagious disease and whose exclusion from such school, seminary, college, or Sunday school has been certified to by said health officer as in his opinion necessary to prevent the spread of such contagious disease; persons so excluded may be permitted to return to such school, seminary, college, or Sunday school upon the presentation of a certificate from said health officer that they may do so without danger of spreading such contagious disease.

SEC. 18. That no parent, master, or custodian of any child or minor, having power or authority to prevent, shall, in said District, permit such child or minor to be unnecessarily exposed or to needlessly expose any other person to the infection of any contagious disease.

SEC. 19. That no person suffering from any contagious disease shall, in said District, enter any public conveyance, nor shall any person in

charge of anyone so suffering permit such an one to enter such conveyance without previously making it known to the owner or driver thereof that he, or the person in charge, as the case may be, is suffering from such contagious disease; any person suffering from such disease and any person in charge of one so suffering having entered any public conveyance shall forthwith report in writing to said health officer the time of such use, the number and kind of conveyance used, and, if known, the name of the driver. The owner or driver of any public conveyance, either or both of them, in which has been conveyed any person suffering from a contagious disease, shall immediately have such conveyance properly disinfected, and said conveyance shall not again be used until it has been disinfected to the satisfaction of said health officer, as certified by him.

SEC. 20. That no person shall, in said District, knowingly let, or cause to be let to any person, or put any other person in possession of, any house, room, or part of a house or room, in which any person has been confined by reason of any contagious disease, until such house or room or part of a house or room has been disinfected to the satisfaction of said health officer, as certified by him.

SEC. 21. That whenever any person in said District is an inmate of any premises occupied by three or more families, or of any tenement house, boarding house, lodging house, hotel, or apartment house, and is suffering from any contagious disease, and cannot, in the opinion of said health officer, be properly isolated in such premises, tenement house, lodging house, hotel, or apartment house, said person shall be removed as expeditiously as possible, under direction of said health officer, to the public hospital or to such other place, satisfactory to said health officer, provided by and at the expense of said person, his parents or guardians; if such person cannot, in the opinion of said health officer, be removed as aforesaid without endangering his life, said health officer may cause such persons in the

vicinity to be removed as are in danger of contracting the disease. Any person suffering from any contagious disease, and requiring to be treated at public expense, may, at the discretion of said health officer, be removed to the public hospital for treatment.

SEC. 22. That in every hospital and dispensary in said District there shall be provided and maintained a suitable room or rooms for the isolation of persons infected with any contagious disease aforesaid, or any other disease ordinarily recognized as contagious; such persons shall, immediately upon the discovery of the nature of their sickness, be separated from the other persons and other patients at such dispensary or hospital. It shall be the duty of the physician or physicians, of the officers, managers, and of everyone in charge of a hospital or dispensary, and of everyone who has any duty or office in respect to patients in course of treatment, or persons who apply for treatment or care at a dispensary or hospital, to see that a report is immediately made to said health officer of every person so applying, infected with any contagious disease mentioned in section one of this act, who comes to their knowledge, and that such person or persons infected with any contagious disease aforesaid, or any other disease ordinarily recognized as contagious, are properly isolated and kept separated from other persons and other patients.

SEC. 23. That every person in said District having been exposed to the infection of smallpox (including varioloid) shall be at once successfully vaccinated, or vaccinated a sufficient number of times to make it evident that successful vaccination is impossible.

SEC. 24. That it shall be the duty of every person in said District to be successfully vaccinated, or to be vaccinated a sufficient number of times to make it evident that successful vaccination is impossible, whenever the Commissioners of said District shall, by proclamation, declare such action on the part of every person, within a reason-



able time, to be stated in said proclamation, necessary for public health: *Provided*, That this section shall not apply to persons who prove to the satisfaction of said health officer that they have been successfully vaccinated, or repeatedly vaccinated as aforesaid, within five years from the date of said proclamation, or that they have had smallpox or varioloid.

SEC. 25. That the Commissioners of said District be, and they are hereby, authorized and empowered, whenever said District is, in their judgment, threatened or afflicted with any contagious disease to cause house-to-house inspections to be made, to require, especially, the cleansing and disinfection of premises or parts of premises, to provide accommodations for such persons as may be threatened by or afflicted with any of the diseases aforesaid, to provide gratuitous vaccination and distribution of disinfectants, and to do or cause to be done such other acts not contrary to law as may be necessary, in their judgment, to prevent the introduction or spread in said District of any disease aforesaid.

SEC. 26. That no person shall, in said District, knowingly make, sign, or deliver any report or certificate, herein provided for, not in accordance with fact.

SEC. 27. That said health officer, and any employee or employees of the health department of said District duly detailed for such purpose, shall have the right to enter and inspect premises or places in said District where there is, or is believed to be, one or more cases of contagious disease; such inspection to be made between the hours of seven o'clock antemeridian and seven o'clock postmeridian, or at such other times as may, in the opinion of said health officer, be found necessary to secure the enforcement of the provisions of this act.

SEC. 28. That no person in said District shall molest, hinder, or in any manner prevent said health officer, or any person in the service of said health department, from performing any duty

imposed upon him or them by the provisions of this act.

SEC. 29. That any person who shall violate, or aid or abet in violating, any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than five dollars nor more than two hundred dollars, or by imprisonment in the jail of the District of Columbia, or in such other place as may be designated by the court, for not less than five days nor more than six months, or by both such fine and imprisonment, in the discretion of the court.

SEC. 30. That prosecutions under this act shall be in the police court of said District, in the name of said District, on information signed by the attorney of said District or one of his assistants, at the instance of said health officer: *Provided*, That any person or persons tried under this act shall have the privilege, when demanded, of a trial by jury, as in other jury cases in said police court.

SEC. 31. That any person arrested in the District of Columbia for alleged violation of law, whose detention in a police station, workhouse, or jail would, in the opinion of the health officer of said District, expose the occupants of any such police station, workhouse, or jail to infection by any contagious disease aforesaid, or any other disease ordinarily recognized as contagious, may be confined in any hospital in which are treated patients suffering from such contagious disease as that by which said person is believed to be infected, or in such other place as may be designated by the court.

SEC. 32. That all laws and parts of laws inconsistent with the foregoing be, and the same are hereby, repealed.

Approved March 3, 1897.

## INDEX.

Accommodations for patients may be provided .....	13
Act to prevent spread of contagious diseases .....	3
Attendance on, prima facie evidence of knowledge of.....	3
Bodies, dead, preservation and burial of....	7
Burials .....	7
"Case of," defined.....	1
Children not to be exposed, nor to expose others .....	10
Clinical symptoms, prima facie evidence of.	3
Colleges, attendance on forbidden.....	10
Commissioners, D. C., to require vaccination .....	12, 13
to require house to house inspections	13
Confined, where.....	14
Contagious diseases, definition of.....	8
Dead bodies not to be brought into or taken from District of Columbia.....	9
Dead bodies, preservation and burial of....	7
Deaths to be reported.....	4
Definition of contagious disease.....	3
Disinfectants to be approved by health officer .....	7, 9
Disinfection, health officer to certify to....	11
Disinfection may be done by health officer..	8
Disinfection, method of.....	7, 9
Disinfection of public vehicles.....	10, 11
Disinfection required.....	7, 9
Dispensaries, duties of.....	12
Duties of persons in charge of contagious disease .....	6
Evidence, conclusive.....	3
Evidence, prima facie.....	3
Exposure of patient forbidden.....	9, 10
False certificates not to be issued.....	13
Funerals .....	9
Goods, removal of.....	10
Health Officer:	
May authorize entrance to infected houses.	8, 9
May authorize removal of infected goods.	10
May authorize removal of persons suffering from contagious diseases.....	9, 10
May direct exclusion of certain persons from school.....	10
May disinfect premises.....	8
May inspect premises in cases of contagious disease.....	13

To approve disinfectants.....	7, 9
To placard houses in which certain contagious diseases exist.....	5
Hospitals, duties of.....	12
Hotels, etc., placarding.....	5
Hotels, removal of patients from.....	11, 12
Inspection:	
House to house.....	13
Of premises.....	13
Inspectors may enter and examine premises.	13
Interference with agents of health department forbidden.....	13
Isolation of case.....	4
Isolation of entrance to and exit from infected houses.....	5, 6
Meaning of contagious disease.....	3
Patient, removal of.....	9, 10
Patient to be isolated.....	4, 5, 6
Person in charge of, defined.....	3
Person in charge of, duties of.....	4, 6
Persons in charge of, to report.....	5
Physicians to report.....	4
Physicians to report recovery or death.....	4
Placards described.....	5
Placards, how long to be posted.....	5
Placards, location of.....	5
Placards not to be interfered with.....	6
Placards to be posted.....	5
Premises not to be rented, except.....	11
Premises to be placarded.....	5
Persons may be confined, where.....	14
Provisions of act apply to ships, etc.....	3
Public vehicles, employment of.....	10, 11
Recovery from defined.....	4
Recovery to be reported.....	4
Removal of infected goods.....	10
Removal of patients.....	11, 12
Removal of those in vicinity of patient.....	11
Renting of infected premises.....	11
Reports .....	4
Scarlet fever and diphtheria:	
Dispensaries and hospitals to isolate.....	12
Isolation by hospitals and dispensaries..	12
Persons suffering from, may be confined where .....	14
Schools, attendance forbidden.....	10
Sunday schools, attendance forbidden.....	10
Suspected cases to be isolated, etc.....	4
Tenement houses, removal of patients from .....	11, 12
Vaccination:	
Gratuitous, means for, may be provided..	13
May be required by Commissioners....	12, 13
Required after exposure to smallpox.....	12
Watchmen may be employed.....	6